

## ANALYSIS

This ordinance adds Chapter 11.65 to Division 3 of Title 11 - Health and Safety of the Los Angeles County Code pertaining to the identification of purchasers and storage of over-the-counter products containing pseudoephedrine, ephedrine or phenylpropanolamine.

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12/8/06 Requested  
1/9/07 Revised

**ORDINANCE NO. \_\_\_\_\_**

An ordinance adding Chapter 11.65 to Division 3 of Title 11 - Health and Safety of the Los Angeles County Code pertaining to the identification of purchasers and storage of over-the-counter products containing ephedrine, pseudoephedrine or phenylpropanolamine.

The Board of Supervisors of the County of Los Angeles ordains as follows:

**SECTION 1.** Chapter 11.65 is hereby added to Title 11 – Health and Safety of the Los Angeles County Code to read as follows:

**Chapter 11.65**

**Ephedrine, Pseudoephedrine and Phenylpropanolamine Records and Storage**

**SECTIONS:**

11.65.010 Display and Storage.

11.65.020 Identification and Logging Required.

11.65.030 Inspection of Log.

11.65.040 Penalty.

**11.65.010 Display and Storage.** No owner, manager or proprietor in charge of any business selling over-the-counter products which lists ephedrine, pseudoephedrine or phenylpropanolamine as an ingredient shall display said product where it is accessible by customers of said business. All products which list ephedrine, pseudoephedrine or phenylpropanolamine as an ingredient shall be kept behind the counter in a place that is not accessible to retail customers.

**11.65.020 Identification and Logging Required.** No owner, manager, proprietor or employee in charge of any business selling any over-the-counter products which list ephedrine, pseudoephedrine or phenylpropanolamine as an ingredient shall sell said product unless the buyer of said product first produces valid photo identification. The purchaser must enter into a written log his/her name, address, and the date and time of sale, and must also sign the logbook. The seller shall determine that the name entered into the logbook corresponds to the name provided on the photo identification and that the date and time are correct. The seller shall also enter into the logbook the name of the product purchased and the quantity sold. The logbook must contain a notice to purchasers that entering false statements or misrepresentations in the logbook may subject the purchaser to criminal penalties pursuant to this ordinance. The seller must maintain each entry in the logbook for not fewer than two years after the date in which the entry is made. This requirement does not apply to any purchase by an individual of a single sales package if that package contains no more than 60 milligrams of ephedrine, pseudoephedrine or phenylpropanolamine.

**11.65.030 Inspection of Log.** The written log of buyers, maintained pursuant to Section 11.65.020 above, shall be provided to local law enforcement authorities pursuant to a lawful search warrant or subpoena issued by judicial process.

**11.65.040 Penalty.** Any person violating any provision of this article shall be guilty of a misdemeanor, and shall be punished by a fine not to exceed five hundred (\$500) dollars for each offense or by imprisonment in the county jail for a period of not more than six (6) months, or by both such fine and imprisonment.